

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
 ZONING VARIANCE
 N/S River Drive Road, 480 ft. E * ZONING COMMISSIONER
 of Grace Road
 7118 River Drive Road * OF BALTIMORE COUNTY
 15th Election District
 7th Councilmanic District * Case No. 95-81-A
 Thaddeus F. Wisniewski, et ux
 Petitioners *
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Thaddeus F. Wisniewski and Darlene M. Wisniewski, his wife, for that property known as 7118 River Drive Road in the Lynch Point subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a rear yard setback of 2-1/2 ft. in lieu of the required 30 ft. for a proposed addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER REQUIRED FOR FILING
 9/28/96
 Date
 By *M. Chowdhury*

MICROFILMED

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to the requirements of Section 500.14 of the B.C.Z.R. In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to ensure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

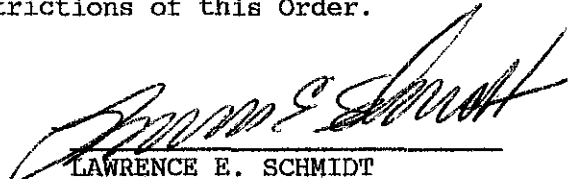
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of September, 1994 that the Petition for a Zoning Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a rear yard setback of 2-1/2 ft. in lieu of the required 30 ft., for a proposed addition, be and is hereby GRANTED, sub-

ORDER RECEIVED FOR FILING
DATE 9/28/94
BY M. H. Hosh

ject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated September 15, 1994, attached hereto and made a part thereof.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 27, 1994

Mr. and Mrs. Thaddeus F. Wisniewski
7118 River Drive Road
Edgmere, Maryland 21219

RE: Petition for Administrative Variance
Case No. 95-81-A
Property: 7118 River Drive Road

Dear Mr. and Mrs. Wisniewski:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

RECEIVED





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7118 River Drive Rd
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1 B02.3C.1 to permit
a rear yard setback of 2 1/2 ft. in lieu of the required
30 ft. (For proposed addition)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

to detach the garage would create a very narrow well
(1'-0"±) between the house & garage, thus creating
an area very difficult to keep clean of trash, leaves,
rodents & debris

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Thaddaeus F. Wisniewski
(Type or Print Name)

Thaddaeus F. Wisniewski
Signature

Darlene M. Wisniewski
(Type or Print Name)

x Darlene M. Wisniewski
Signature

7118 River Drive Rd (410) 477-8417 H
Address Phone No.

Edgemere MD 21219
City State Zipcode
Name, Address and phone number of representative to be contacted.

Jeffrey Morgan, AIA
Name

507 Cranleigh Rd (410) 363-2415
Address Phone No.

Swings Mills MD 21117
Address Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

MICROFILMED

Zoning Commissioner of Baltimore County

REVIEWED BY: JLH DATE: 9/1/94

ESTIMATED POSTING DATE: 9/11/94

ITEM #: _____

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7118 River Drive Rd
address
Edgemere MD 21219
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

To detach the proposed garage would create a
very small wall between the House & Garage (1'-0"±)
this creating an area very difficult to keep
clean from trash, leaves, rodents & debris.
Secondly, from a architectural design
viewpoint to have such a small space
between structures would be displeasing &
inconsistent with other garages in this area.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Thaddeus F. Wisniewski
(signature)
Thaddeus F. Wisniewski
(type or print name)



Darlene M. Wisniewski
(signature)
Darlene M. Wisniewski
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of July, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thaddeus F. Wisniewski AND Darlene M. Wisniewski

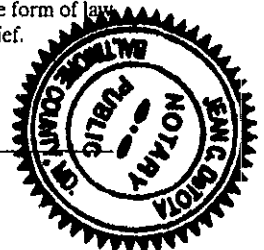
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

7/30/94
date

John C. De Soto
NOTARY PUBLIC

My Commission Expires: 5-1-96



83

EXAMPLE 3 - Zoning Description

- 3 copies

95-81-A

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 7118 River Drive Rd.
 (address)
 Election District 15 Councilmanic District 7

Beginning at a point on the NORTH side of River Dr. Rd.
 (north, south, east or west)

which is 20'
 (street on which property fronts) (number of feet of right-of way width)

wide at a distance of 480' EAST of the
 (number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street GRACE RD.
 (name of street)

which is 20' wide. *Being Lot # 31,
 (number of feet of right-of-way width)

Block S, Section # in the subdivision of
Lynch Point. as recorded in Baltimore County Plat
 (name of subdivision)

Book # WPG No 8, Folio # 38, containing
6700 SF ± 0.15 ac.
 (square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber , Folio " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

ENCLOSURE

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-81-12

District

15th

Date of Posting

9/10/94

Posted for:

Variance

Petitioner:

Thaddeus & Darlene Wisniewski

Location of property:

7118 River Drive Rd, N/S

Location of Signs:

Facing roadway, on property being zoned

Remarks:

Posted by

[Signature]
Signature

Date of return:

9/16/94

Number of Signs:

1

MICROFILMED



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

CRITICAL
AREA

receipt
95-81-A

Account: R-001-6150

Number 83
BY VLL.

Date

9/1/94

1 RES VAR CODE 010 50.00

1 SIGN POSTING CODE 080 35.00

TOT= 85.00

OWNER: WISNIEWSKI
COC 7118 RIVER DRIVE RD.

MICROFILMED

02ADP00192KTHRC
RA 1009549009-01 94

\$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 83

Petitioner: WISNIEWSKI

Location: 7118 RIVER DRIVE RD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: THADDEUS + DARLENE WISNIEWSKI

ADDRESS: 7118 RIVER DR. RD. BAL

EDGEMERE MD 21219

PHONE NUMBER: 477 8417

AJ:ggs

MICROFILMED

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Mr. & Mrs. Thaddeus Wisniewski
7118 River Drive Road
Edgemere, Maryland 21219

RE: Item No. 83, Case No. 95-81-A=
Petitioner: Mr. & Mrs. Wisniewski

Dear Mtr. & Mrs. Wisniewski:

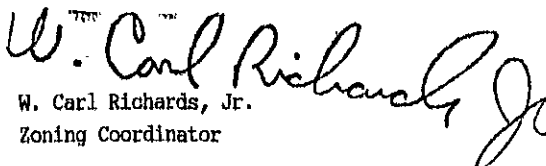
The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 11, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,


W. Carl Richards, Jr.
Zoning Coordinator

WCR:jaw



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 7, 1994

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 83, 85 and 86.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

Jeffrey W Long
Dan L. Kerns

PK/JL:lw

RECEIVED

SEP 12 1994

ZADM

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 09/09/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 82,83,84,85 AND 86.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

9-9-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: * 83 (JLL)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

RECEIVED

SEP 12 1994

ZADM

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

MICROFILMED

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Zoning Administration and
 Development Management

DATE: September 7, 1994

FROM: Pat Keller, Director
 Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 83, 85 and 86.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W Long

Division Chief:

Edmund L. Kerns

PK/JL:lw

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: September 19, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for September 19, 1994
Item No. 83

The Developers Engineering Section has reviewed the subject zoning item. This proposed improvement is located in a 100-year tidal flood plain area. Per the Baltimore County Dept. of Public Works, the lowest floor of any building must be elevated 1 foot above the 100-year frequency tidal elevation as defined by the Federal Emergency Management Agency, Flood Insurance Administration's Flood Insurance Study.

RWB:sw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

September 15, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #83 - Wisniewski Property
7118 River Drive Road
Zoning Advisory Committee Meeting of September 15, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with Chesapeake Bay Critical Area (CBCA) regulations for Intensely Developed Areas (IDA). The proposed construction will require a Critical Area Administrative Variance (CAAV) to allow construction within the 100-foot buffer to tidal waters, however, an alternatives analysis would determine that the garage has been moved out of the buffer as much as is possible. CBCA regulations require applicants seeking a CAAV to attempt to obtain a Zoning Variance, therefore, the applicant's application would be looked at favorably.

JLP:sp

WISNIEWS/DEPRM/TXTSBP

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

September 21, 1994

(410) 887-3353

Mr. & Mrs. Thaddeus Wisniewski
7118 River Drive Road
Edgemere, Maryland 21219

RE: Case No. 95-81-ANo. 83
Petitioner Mr. & Mrs. Wisniewski

Dear Mr. & Mrs. Wisniewski

Enclosed are copies of comments received from DEPRM, 1994 for the
above-referenced case.

If there are any questions, please do not hesitate to call me at
887-3391.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joyce Watson".
Joyce Watson

Enclosure

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 12, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Thaddeus and Darlene Wisniewski
7118 River Drive Road
Edgemere, Maryland 21219

Re: CASE NUMBER: 95-81-A (Item 83)
7118 River Drive Road
N/S River Drive Road, 480' E of Grace Road
15th Election District - 7th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 11, 1994. The closing date (September 26, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director



H.O.

83

App. ~~advised~~ advised of flood
plain (A-9) status of property +
advised to speak to plans review
and Depem.

JJJ
9/1/94

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 7118 RIVER DRIVE RD

see pages 5 & 6 of the CHECKLIST for additional required information

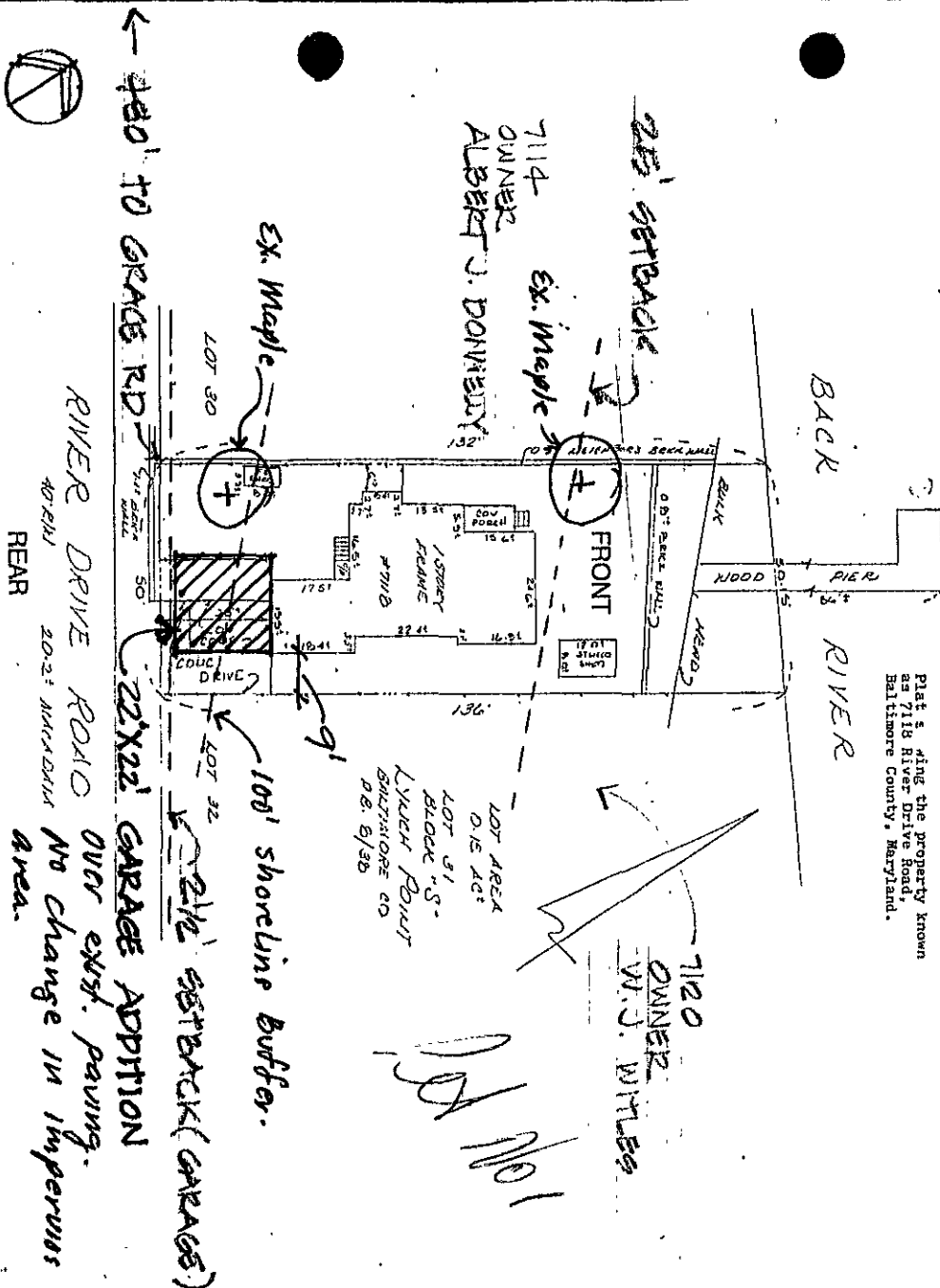
Subdivision name: Block 5 of Lynch Point

plat book# 8, folio# 38, lot# 31, section#

OWNER: Thaddeus & Darlene Wisniewski

95-81-A

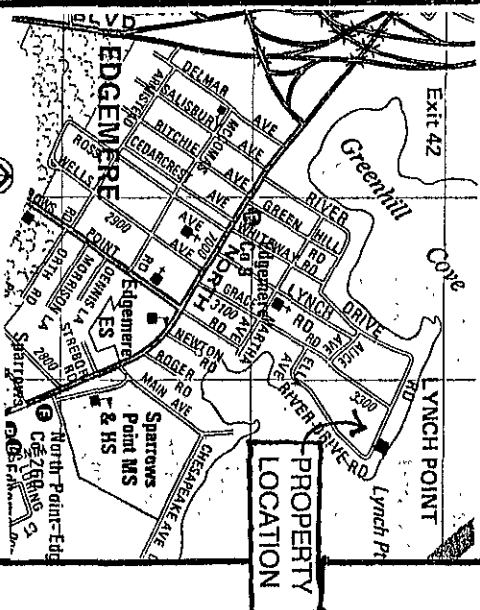
Plat 5, along the property known as 7118 River Drive Road, Baltimore County, Maryland.



date: 8-3-74

prepared by: Jeff Morgan

Scale of Drawing: 1" = 40'



LOCATION INFORMATION

Election District: 15

Councilmanic District: 7

1"=200' scale map#: SE 5-T

Zoning: DR 5.5

Lot size: 0.15 acreage 6,700 square feet

located in Wood Plain

A-9 parcel 555

Chesapeake Bay Critical Area: ☒ YES ☐ NO

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

83

95-81-A 83



LOOKING N/W - (#7114)



LOOKING EAST

MICROFILMED

83

95-81-A



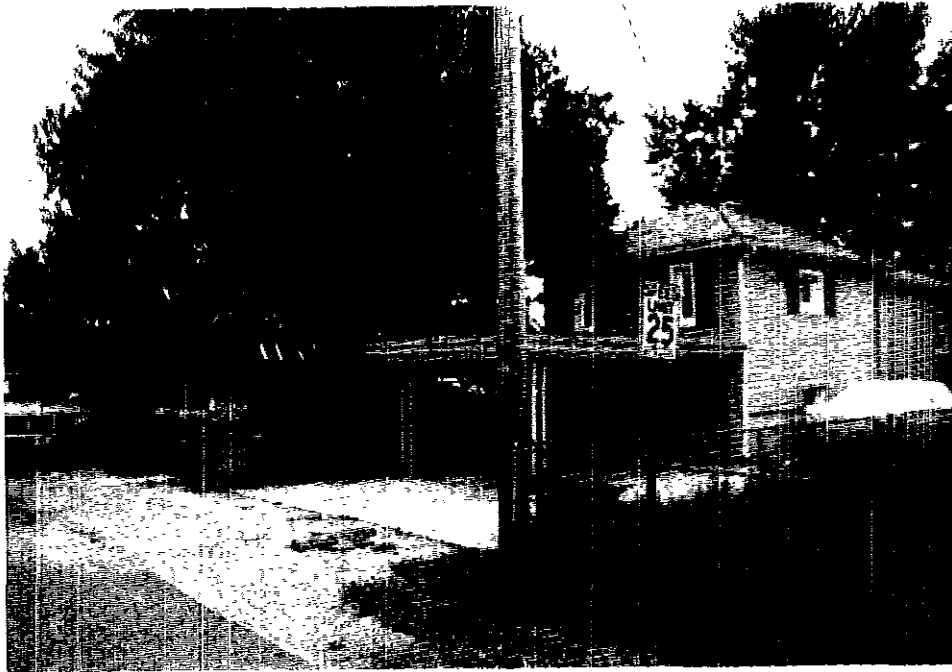
LOOKING N/E (# 114)



LOOKING N/E OF STREET FROM

83

95-81-A



LOOKING N/W (# 119)
Garage located & Carport location.



LOOKING N. (# 119)

83

95-81-A

#7118

#1120



LOOKING WEST



LOOKING EAST @ LYNCH POINT

MICROFILMED



Petition for Administrative Variance

95-81-A

to the Zoning Commissioner of Baltimore County

for the property located at 7118 River Drive Rd
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B02 + 3.C.1 TO PERMIT

A REAR YARD SETBACK OF 2 1/2 FT. IN LIEU OF THE REQUIRED 30 FT. (FOR A PROPOSED ADDITION)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

to detach the garage would create a very narrow well (1'-0"±) between the house & garage, thus creating an area very difficult to keep clean of trash, leaves, rodents & debris

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

Thaddeus F. Wisniewski
(Type or Print Name)

Thaddeus F. Wisniewski
Signature

Darlene M. Wisniewski
(Type or Print Name)

Darlene M. Wisniewski
Signature

7118 River Drive Rd (410) 477-8417 H
Address Phone No.

Edgemere MD 21219
City State Zipcode

Name, Address and phone number of representative to be contacted.

Jeffrey Morgan, AIA
Name
507 Cranleigh Rd (410) 363-2415
Address Phone No.
OWINGS MILLS MD 21117

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: J.P.H. DATE: 9/11/94

ESTIMATED POSTING DATE: 9/11/94

ITEM #: _____



Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7119 River Drive Rd
address
Edgemere MD 21219
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

To detach the proposed garage would create a
very small well between the House & Garage (1'-0"±)
this creating an area very difficult to keep
clean from trash, leaves, rodents & debris.
Secondly, from a architectural design
viewpoint to have such a small space
between structures would be displeasing &
inconsistent with other garages in this area.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Thaddeus F. Wisniewski
(signature)
thaddeus F. Wisniewski
(type or print name)



Darlene M. Wisniewski
(signature)
Darlene M. Wisniewski
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of July, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

THADDEUS F. WISNIEWSKI AND DARLENE M. WISNIEWSKI

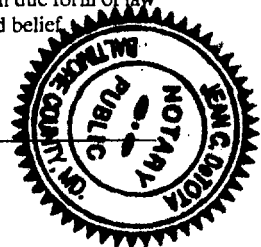
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

7/30/94
date

John C. De Fata
NOTARY PUBLIC

My Commission Expires: 5-1-96



MICROFILMED

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1966

LOCATION
EDGE MERE

SHEET
S.E.
5-1

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

MICROFILMED

95-81-A

TODD POINT

BACK

RIVER
#3

95-81-A

D.R.5.5

E-SE
A-NE

~~1988 COMPREHENSIVE ZONING MAP
Adopted by the Board of County Council
Oct. 12, 1988~~

~~ENR Nos. 14-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88~~

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.

TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

(SHEET 3.E.6-1)

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council

Oct. 15, 1992

SCALE
1" = 200'

LOCATION

SHEE

S.E.
5-1

PHOTOGRAPHY
JANUARY
1986

William A. Howard IV
Chairman, County Council

MICROFILMEL

This document was created with the trial version of Print2PDF.
Purchase Print2PDF at <http://www.safesoft.com>

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
ZONING VARIANCE
N/S River Drive Road, 480 ft. E of Grace Road
7118 River Drive Road
15th Election District
7th Councilmanic District
Thaddeus F. Wisniewski, et ux
Petitioners

* BEFORE THE ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-81-A
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Thaddeus F. Wisniewski and Darlene M. Wisniewski, his wife, for that property known as 7118 River Drive Road in the Lynch Point subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a rear yard setback of 2-1/2 ft. in lieu of the required 30 ft. for a proposed addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to the requirements of Section 500.14 of the B.C.Z.R. In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to ensure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of September, 1994 that the Petition for a Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a rear yard setback of 2-1/2 ft. in lieu of the required 30 ft., for a proposed addition, be and is hereby GRANTED, sub-

-2-

ject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated September 15, 1994, attached hereto and made a part thereof.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

ORDER REQUESTED FOR FILING
By: [Signature]
Date: 9/14/94

-3-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 27, 1994

Mr. and Mrs. Thaddeus F. Wisniewski
7118 River Drive Road
Edgemoor, Maryland 21219

RE: Petition for Administrative Variance
Case No. 95-81-A
Property: 7118 River Drive Road

Dear Mr. and Mrs. Wisniewski:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7118 River Drive Rd.
which is presently zoned R25.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 to permit a rear yard setback of 2 1/2 ft. in lieu of the required 30 ft. (For proposed addition)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To detach the garage would create a very narrow well (1'-0"±) between the house & garage, this creating an area very difficult to keep clean of trash, leaves, rodents & debris.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney to Petitioner

(Type or Print Name)

Signature

Address

City

State

Zipcode

Who do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

Thaddeus F. Wisniewski

(Type or Print Name)

Darlene M. Wisniewski

(Type or Print Name)

X Darlene M. Wisniewski

(Type or Print Name)

7118 River Drive Rd (410) 977-8417 #

Edgemoor MD 21219

City State Zipcode

Name, address and phone number of representative to be contacted

Jeffrey Morgan, AIA

507 Granleigh Rd (410) 363-2415

Bowling Mills MD 21117

City State Zipcode

Zoning Commissioner of Baltimore County

ITEM #:

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7118 River Drive Rd

Edgemoor MD 21219

City State Zipcode

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

To detach the proposed garage would create a very narrow well between the house & garage (1'-0"±) this creating an area very difficult to keep clean from trash, leaves, rodents & debris. According to an architectural design viewpoint to have such a small space between structures would be displeasing & inconsistent with other garages in the area.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Thaddeus F. Wisniewski

(Type or Print Name)

Darlene M. Wisniewski

(Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of July, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

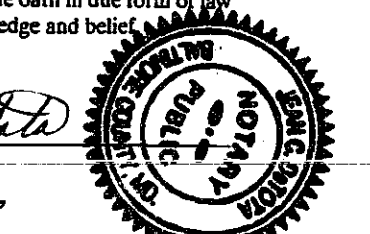
Thaddeus F. Wisniewski and DARLENE M. WISNIEWSKI

that the affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9/30/94

My Commission Expires: 5-1-96



EXAMPLE 3 - Zoning Description

- 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 7118 River Drive Rd
Election District 15 Councilmanic District 7

Beginning at a point on the North side of River Dr. Rd.
(north, south, east or west)

which is 20' (number of feet of right-of-way width)

wide at a distance of 480' EAST of the (number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Grace Rd.
(name of street)

which is 20' wide. *Being lot # 31.
(number of feet of right-of-way width)

Block 5, Section # in the subdivision of
Lynch Point as recorded in Baltimore County Plat

Book # 45C No 3, Folio # 33, containing
67,005 sq ft ± 315 ac ±

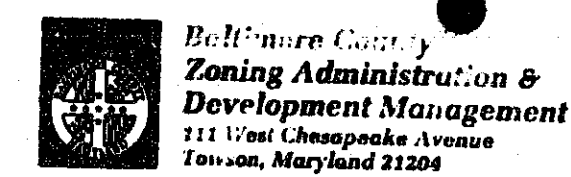
(square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber #, Folio # and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 9/14/94
Posted for: Variance
Petitioner: Thaddeus & Darlene Wisniewski
Location of property: 7118 River Drive Rd, N/S
Location of Sign: 7118 River Drive Rd, N/S
Remarks:
Posted by: [Signature] Date of return: 9/14/94
Number of Signs: 1



CRITICAL AREA

receipt
95-81-A

Date 9/1/94

1 RES VAR CODE 010 50.00
1 SIGN POSTING CODE 080 55.00
TOT = 85.00

OWNER: WISNIEWSKI
LOC 7118 RIVER DRIVE RD

Please Make Checks Payable To: Baltimore County

\$85.00

Shiller Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Carl Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 83
Petitioner: WISNIEWSKI
Location: 7118 RIVER DRIVE RD
PLEASE FORWARD ADVERTISING BILL TO:
NAME: THADDEUS + DARLENE WISNIEWSKI
ADDRESS: 7118 RIVER DR. RD
EDGEMERE MD 21219
PHONE NUMBER: 477 8417

AJ:ggg (Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Re: Mr. & Mrs. Thaddeus Wisniewski
7118 River Drive Road
Edgemere, Maryland 21219

Dear Mr. & Mrs. Wisniewski:

RE: Item No. 83, Case No. 95-81-A
Petitioner: Mr. & Mrs. Wisniewski

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 11, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Coordinator

MCR:jew

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 7, 1994

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 83, 85 and 86.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*
Division Chief: *Edmy L. Kern*

PK/JL:lw

RECEIVED
SEP 12 1994
ZADM

ZC83-85.86/PZONE/ZAC1

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 09/09/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW
LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 82,83,84,85 AND 86.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

9-9-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: * 83 (TLL)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

RECEIVED
SEP 12 1994
ZADM

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 7, 1994

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 83, 85 and 86.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*
Division Chief: *Edmy L. Kern*

PK/JL:lw

ZC83-85.86/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: September 19, 1994

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for September 19, 1994
Item No. 83

The Developers Engineering Section has reviewed the subject zoning item. This proposed improvement is located in a 100-year tidal flood plain area. Per the Baltimore County Dept. of Public Works, the lowest floor of any building must be elevated 1 foot above the 100-year frequency tidal elevation as defined by the Federal Emergency Management Agency, Flood Insurance Administration's Flood Insurance Study.

RWB:sw

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

September 15, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #83 - Wisniewski Property
7118 River Drive Road
Zoning Advisory Committee Meeting of September 15, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with Chesapeake Bay Critical Area (CECA) regulations for Intensely Developed Areas (IDA). The proposed construction will require a Critical Area Administrative Variance (CAAV) to allow construction within the 100-foot buffer to tidal waters, however, an alternatives analysis would determine that the garage has been moved out of the buffer as much as is possible. CECA regulations require applicants seeking a CAAV to attempt to obtain a Zoning Variance, therefore, the applicant's application would be looked at favorably.

JLP:sp
WISNEWS/DEPRM/TXTSBP

Mr. & Mrs. Thaddeus Wisniewski
7118 River Drive Road
Edgemere, Maryland 21219

RE: Case No. 95-81-A No. 83
Petitioner Mr. & Mrs. Wisniewski

Dear Mr. & Mrs. Wisniewski

Enclosed are copies of comments received from DEPRM, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

John Watson
John Watson

Enclosure

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Thaddeus and Darlene Wisniewski
7118 River Drive Road
Edgemere, Maryland 21219

RE: CASE NUMBER: 95-81-A (Item 83)
7118 River Drive Road
R/S River Drive Road, 480' E of Grace Road
15th Election District - 7th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 11, 1994. The closing date (September 26, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Jahan
Arnold Jahan
Director

H.O. 83
App. ~~advised~~ advised of flood
plain (A-9) status of property +
advised to speak to plans review
and Depram.

John
9/1/94

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 7118 RIVER DRIVE RD
Subdivision name: BLOCK 8 of Lynch Point
Plat books: 2, folios 32, lot # 31, locations
OWNER: Thaddeus & Darlene Wisniewski

95-81-A

See pages 5 & 6 of the CHECKLIST for additional required information.

PLAT 1, along the property known as 7118 River Drive Road, Baltimore County, Maryland.

BACK RIVER

215' SETBACK

7114 OWNER ALBERT J. DONNEX

EX. MAPLE

7120 OWNER W.J. WITLES

LOT AREA 0.15 AC

LOT # 31 BLOCK 8 - LYNCH POINT

480' TO GRACE RD

100' shoreline buffer.

215' SETBACK (GARAGE)

22x22 GARAGE ADDITION OVER EXIST. PAVING.

NO CHANGE IN IMPERVIOUS AREA.

REAR

North

date: 8-3-94

prepared by: Jeff Morgan

Scale of Drawing: 1" = 40'

LOCATION INFORMATION

Election District: 15
Councilmanic District: 7

1"=200' scale map# 56 5-I

Zoning: DR 5.5

Lot size: 0.15 6,700 square feet

Located in Flood plain A-9 panel 555

Chesapeake Bay Critical Area: NONE

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

83



LOOKING N/NW (#7114)



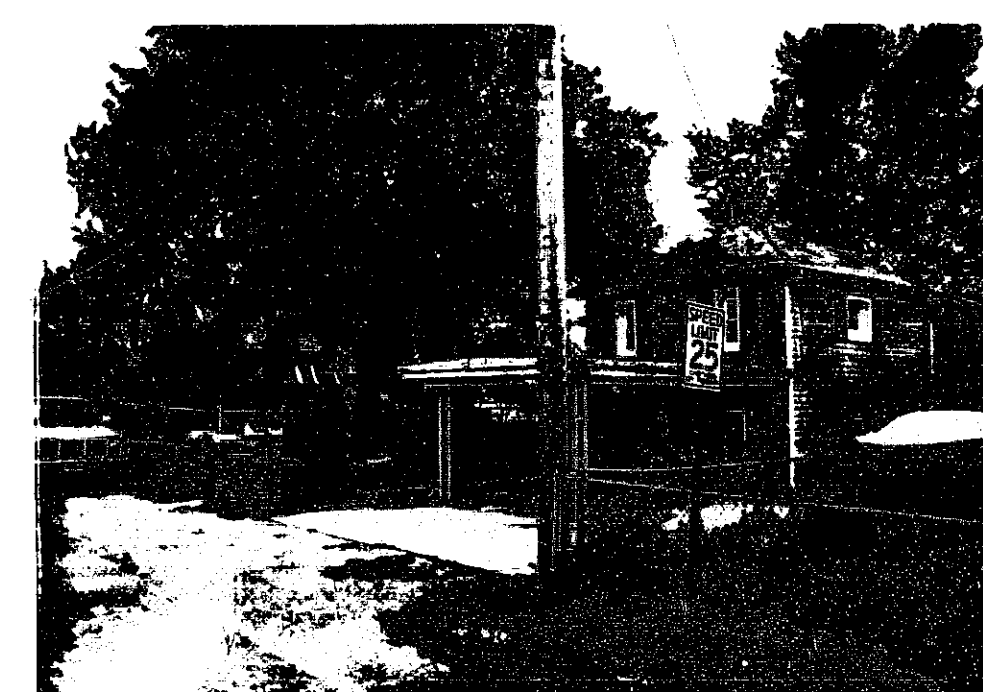
LOOKING EAST



LOOKING N/NE (#7114)



LOOKING N/NE & SUBJECT PROP.



LOOKING N/NW (#7118)
Garage location & Carport location.



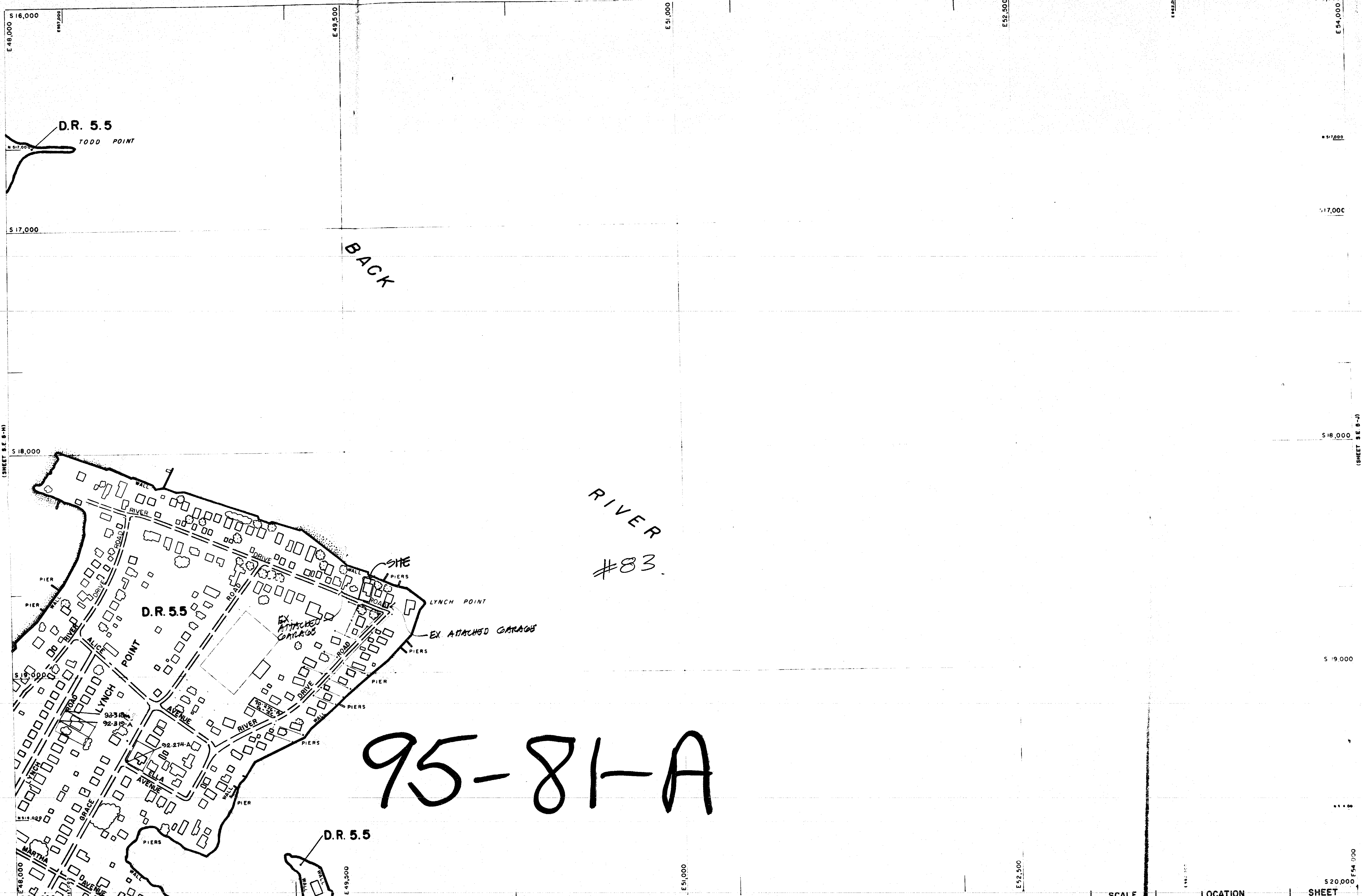
LOOKING N. (#7118)



LOOKING WEST



LOOKING EAST & LYNCH POINT



E-SE
A-NE

~~1988 COMPREHENSIVE ZONING MAP~~
Adopted by the Baltimore County Council
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Deb T. Volk
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William A. Howard IV
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200'	EDGEMERE	S.E. 5-1
DATE OF PHOTOGRAPHY JANUARY 1986		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

95-81-A

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

EDGE MERE

SHEET

S.E.
5-1